

**MICHIGAN VEHICLE CODE (EXCERPT)**  
**Act 300 of 1949**

**257.655 Pedestrians on highways; violation as civil infraction.**

Sec. 655. (1) Where sidewalks are provided, a pedestrian shall not walk upon the main traveled portion of the highway. Where sidewalks are not provided, pedestrians shall, when practicable, walk on the left side of the highway facing traffic which passes nearest.

(2) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

**MICHIGAN VEHICLE CODE (EXCERPT)**  
**Act 300 of 1949**

**257.674 Prohibited parking; exceptions; bus loading zone; violation as civil infraction.**

Sec. 674. (1) A vehicle shall not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places:

- (a) On a sidewalk.
- (b) In front of a public or private driveway.
- (c) Within an intersection.
- (d) Within 15 feet of a fire hydrant.
- (e) On a crosswalk.
- (f) Within 20 feet of a crosswalk, or if there is not a crosswalk, then within 15 feet of the intersection of property lines at an intersection of highways.
- (g) Within 30 feet of the approach to a flashing beacon, stop sign, or traffic-control signal located at the side of a highway.
- (h) Between a safety zone and the adjacent curb or within 30 feet of a point on the curb immediately opposite the end of a safety zone, unless a different length is indicated by an official sign or marking.
- (i) Within 50 feet of the nearest rail of a railroad crossing.
- (j) Within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance if properly marked by an official sign.
- (k) Alongside or opposite a street excavation or obstruction, if the stopping, standing, or parking would obstruct traffic.
- (l) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.
- (m) Upon a bridge or other elevated highway structure or within a highway tunnel.
- (n) At a place where an official sign prohibits stopping or parking.
- (o) Within 500 feet of an accident at which a police officer is in attendance, if the scene of the accident is outside of a city or village.
- (p) In front of a theater.
- (q) In a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building.
- (r) In a place or in a manner that blocks or hampers the immediate use of an immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building.
- (s) In a parking space clearly identified by an official sign as being reserved for use by disabled persons that is on public property or private property available for public use, unless the individual is a disabled person as described in section 19a or unless the individual is parking the vehicle for the benefit of a disabled person. In order for the vehicle to be parked in the parking space the vehicle shall display 1 of the following:
  - (i) A certificate of identification or windshield placard issued under section 675 to a disabled person.
  - (ii) A special registration plate issued under section 803d to a disabled person.
  - (iii) A similar certificate of identification or windshield placard issued by another state to a disabled person.
  - (iv) A similar special registration plate issued by another state to a disabled person.
  - (v) A special registration plate to which a tab for persons with disabilities is attached issued under this act.
- (t) In a clearly identified access aisle or access lane immediately adjacent to a space designated for parking by persons with disabilities.
- (u) On a street or other area open to the parking of vehicles that results in the vehicle interfering with the use of a curb-cut or ramp by persons with disabilities.
- (v) Within 500 feet of a fire at which fire apparatus is in attendance, if the scene of the fire is outside a city or village. However, volunteer fire fighters responding to the fire may park within 500 feet of the fire in a

manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this subdivision.

(w) In violation of an official sign restricting the period of time for or manner of parking.

(x) In a space controlled or regulated by a meter on a public highway or in a publicly owned parking area or structure, if the allowable time for parking indicated on the meter has expired, unless the vehicle properly displays 1 or more of the items listed in section 675(8).

(y) On a street or highway in such a way as to obstruct the delivery of mail to a rural mailbox by a carrier of the United States postal service.

(z) In a place or in a manner that blocks the use of an alley.

(aa) In a place or in a manner that blocks access to a space clearly designated as a fire lane.

(2) A person shall not move a vehicle not owned by the person into a prohibited area or away from a curb a distance that makes the parking unlawful.

(3) A bus, for the purpose of taking on or discharging passengers, may be stopped at a place described in subsection (1)(b), (d), or (f) or on the roadway side of a vehicle illegally parked in a legally designated bus loading zone. A bus, for the purpose of taking on or discharging a passenger, may be stopped at a place described in subsection (1)(n) if the place is posted by an appropriate bus stop sign, except that a bus shall not stop at such a place if the stopping is specifically prohibited by the responsible local authority, the state transportation department, or the director of the department of state police.

(4) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1977, Act 19, Eff. Oct. 1, 1977;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1978, Act 546, Imd. Eff. Dec. 22, 1978;—Am. 1979, Act 66, Eff. Aug. 1, 1979;—Am. 1980, Act 518, Eff. Mar. 31, 1981;—Am. 1985, Act 69, Imd. Eff. July 1, 1985;—Am. 1986, Act 69, Eff. Mar. 31, 1987;—Am. 1986, Act 222, Eff. Oct. 1, 1986;—Am. 1988, Act 150, Eff. Nov. 11, 1988;—Am. 1994, Act 104, Eff. Oct. 1, 1994;—Am. 1998, Act 68, Imd. Eff. May 4, 1998;—Am. 2000, Act 76, Eff. Oct. 1, 2000;—Am. 2000, Act 268, Eff. Oct. 1, 2000.

#### **MICHIGAN VEHICLE CODE (EXCERPT)**

##### **Act 300 of 1949**

#### **257.676b Interference with normal flow of vehicular or pedestrian traffic prohibited; exception; violation as civil infraction.**

Sec. 676b. (1) A person, without authority, shall not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public street or highway in this state, by means of a barricade, object, or device, or with his or her person. This section shall not apply to persons maintaining, rearranging, or constructing public utility facilities in or adjacent to a street or highway.

(2) A person who violates this section is responsible for a civil infraction.

**History:** Add. 1968, Act 151, Eff. Nov. 15, 1968;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

#### **MICHIGAN VEHICLE CODE (EXCERPT)**

##### **Act 300 of 1949**

#### **257.677 Interference with view or control of driver or operation; violation as civil infraction.**

Sec. 677. (1) A person shall not drive a vehicle when it is loaded, or when there are in the front seat a number of persons, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(2) A passenger in a vehicle or streetcar shall not ride in a position as to interfere with the driver's or operator's view ahead or to the sides, or to interfere with the driver's or operator's control over the driving mechanism of the vehicle or streetcar.

(3) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

#### **NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**

##### **Act 451 of 1994**

#### **324.43510 Carrying or transporting firearm, slingshot, bow and arrow, crossbow or trap; license required; exception; applicability to taking of wild animal.**

Sec. 43510. (1) Subject to subsection (2) and except as provided in section 43513, a person shall not carry or transport a firearm, slingshot, bow and arrow, crossbow, or a trap while in any area frequented by wild animals unless that person has in his or her possession a license as required under this part.

(2) This act or a rule promulgated or order issued by the department or the commission under this act shall not be construed to prohibit a person from transporting a pistol or carrying a loaded pistol, whether concealed or not, if either of the following applies:

(a) The person has in his or her possession a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435.

(b) The person is authorized under the circumstances to carry a concealed pistol without obtaining a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435, as provided for under any of the following:

(i) Section 12a of 1927 PA 372, MCL 28.432a.

(ii) Section 227, 227a, 231, or 231a of the Michigan penal code, 1931 PA 328, MCL 750.227, 750.227a, 750.231, and 750.231a.

(3) Subsection (2) does not authorize an individual to take or attempt to take a wild animal except as provided by law.

**History:** Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 1996, Act 585, Eff. Mar. 1, 1997;—Am. 2004, Act 129, Imd. Eff. June 3, 2004;—Am. 2006, Act 433, Imd. Eff. Oct. 5, 2006.

**Popular name:** Act 451

## **NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**

### **Act 451 of 1994**

#### **324.80145 Operation of vessels; speed; interference with use of waters by others.**

Sec. 80145. A person operating or propelling a vessel upon the waters of this state shall operate it in a careful and prudent manner and at such a rate of speed so as not to endanger unreasonably the life or property of any person. A person shall not operate any vessel at a rate of speed greater than will permit him or her, in the exercise of reasonable care, to bring the vessel to a stop within the assured clear distance ahead. A person shall not operate a vessel in a manner so as to interfere unreasonably with the lawful use by others of any waters.

**History:** Add. 1995, Act 58, Imd. Eff. May 24, 1995.

**Popular name:** Act 451

**Popular name:** Marine Safety Act

## **NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**

### **Act 451 of 1994**

#### **324.80154 Interference with operation of vessel by nonoccupant.**

Sec. 80154. A person not in a boat shall not intentionally rock, tip, jostle, or otherwise interfere with the operation of any vessel, except under supervised training.

**History:** Add. 1995, Act 58, Imd. Eff. May 24, 1995.

**Popular name:** Act 451

**Popular name:** Marine Safety Act

## **EMPLOYMENT RELATIONS COMMISSION (EXCERPT)**

### **Act 176 of 1939**

#### **423.9f Mass picketing; threats or force, picketing private residence, misdemeanor.**

Sec. 9f. It shall be unlawful (1) for any person or persons to hinder or prevent by masspicketing, unlawful threats or force the pursuit of any lawful work or employment, (2) to obstruct or interfere with entrance to or egress from any place of employment, (3) to obstruct or interfere with free and uninterrupted use of public roads, streets, highways, railways, airports, or other ways of travel or conveyance, or (4) to engage in picketing a private residence by any means or methods whatever: Provided, That picketing, to the extent that the same is authorized under constitutional provisions, shall in no manner be prohibited. Violation of this section shall be a misdemeanor and punishable as such.

**History:** Add. 1947, Act 318, Eff. Oct. 11, 1947;—CL 1948, 423.9f;—Am. 1949, Act 230, Imd. Eff. May 31, 1949.

## **EMPLOYMENT RELATIONS COMMISSION (EXCERPT)**

### **Act 176 of 1939**

#### **423.15 Unlawful possession of property; penalty.**

Sec. 15. It shall be unlawful for any person to enter or take part in entering upon, or take possession or control of, any property, or to withhold possession of property, against the will of the owner thereof, or other person in the rightful possession or use thereof, or to interfere with the free use thereof, whether the same be accomplished by force or unlawful threats. Violation of this provision shall be a misdemeanor and punishable as such.

**History:** 1939, Act 176, Imd. Eff. June 8, 1939;—CL 1948, 423.15;—Am. 1949, Act 230, Imd. Eff. May 31, 1949.

**EMPLOYMENT RELATIONS COMMISSION (EXCERPT)**  
**Act 176 of 1939**

**423.17 Coercion to join union or to refrain from work; misdemeanor.**

Sec. 17. It shall be unlawful (1) for any employee or other person by force or unlawful threats to force, or attempt to force any person to become or remain a member of a labor organization, or (2) for an employee or other person by force or unlawful threats to force or attempt to force any person to refrain from engaging in employment. Violation of this section shall be a misdemeanor and punishable as such.

**History:** 1939, Act 176, Imd. Eff. June 8, 1939;—CL 1948, 423.17;—Am. 1949, Act 230, Imd. Eff. May 31, 1949.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.72 Burning dwelling house.**

Sec. 72. Burning dwelling house—Any person who wilfully or maliciously burns any dwelling house, either occupied or unoccupied, or the contents thereof, whether owned by himself or another, or any building within the curtilage of such dwelling house, or the contents thereof, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 20 years.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1945, Act 260, Eff. Sept. 6, 1945;—CL 1948, 750.72.

**Former law:** See section 2 of Act 38 of 1927, being CL 1929, § 16934; and Act 272 of 1929.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.73 Burning of other real property.**

Sec. 73. Burning of other real property—Any person who wilfully or maliciously burns any building or other real property, or the contents thereof, other than those specified in the next preceding section of this chapter, the property of himself or another, shall be guilty of a felony, punishable by imprisonment in the state prison for not more than 10 years.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1945, Act 260, Eff. Sept. 6, 1945;—CL 1948, 750.73.

**Former law:** See section 3 of Act 38 of 1927, being CL 1929, § 16935; and Act 272 of 1929.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.74 Burning of personal property.**

Sec. 74. (1) A person who willfully and maliciously burns any personal property, other than personal property specified in section 72 or 73, owned by himself or herself or another person is guilty of a crime as follows:

(a) If the value of the personal property burned or intended to be burned is less than \$200.00, the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00 or 3 times the value of the personal property burned or intended to be burned, whichever is greater, or both imprisonment and a fine.

(b) If any of the following apply, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00 or 3 times the value of the personal property burned or intended to be burned, whichever is greater, or both imprisonment and a fine:

(i) The value of the personal property burned or intended to be burned is \$200.00 or more but less than \$1,000.00.

(ii) The person violates subdivision (a) and has 1 or more prior convictions for committing or attempting to commit an offense under this section or a local ordinance substantially corresponding to this section.

(c) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00 or 3 times the value of the personal property burned or intended to be burned, whichever is greater, or both imprisonment and a fine:

(i) The value of the personal property burned or intended to be burned is \$1,000.00 or more but less than \$20,000.00.

(ii) The person violates subdivision (b)(i) and has 1 or more prior convictions for violating or attempting to violate this section. For purposes of this subparagraph, however, a prior conviction does not include a conviction for a violation or attempted violation of subdivision (a) or (b)(ii).

(d) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00 or 3 times the value of the personal property burned or

intended to be burned, whichever is greater, or both imprisonment and a fine:

(i) The personal property burned or intended to be burned has a value of \$20,000.00 or more.

(ii) The person violates subdivision (c)(i) and has 2 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subparagraph, however, a prior conviction does not include a conviction for a violation or attempted violation of subdivision (a) or (b)(ii).

(2) The values of personal property burned or intended to be burned in separate incidents pursuant to a scheme or course of conduct within any 12-month period may be aggregated to determine the total value of personal property burned or intended to be burned.

(3) If the prosecuting attorney intends to seek an enhanced sentence based upon the defendant having 1 or more prior convictions, the prosecuting attorney shall include on the complaint and information a statement listing the prior conviction or convictions. The existence of the defendant's prior conviction or convictions shall be determined by the court, without a jury, at sentencing or at a separate hearing for that purpose before sentencing. The existence of a prior conviction may be established by any evidence relevant for that purpose, including, but not limited to, 1 or more of the following:

(a) A copy of the judgment of conviction.

(b) A transcript of a prior trial, plea-taking, or sentencing.

(c) Information contained in a presentence report.

(d) The defendant's statement.

(4) If the sentence for a conviction under this section is enhanced by 1 or more prior convictions, those prior convictions shall not be used to further enhance the sentence for the conviction pursuant to section 10, 11, or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.10, 769.11, and 769.12.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1945, Act 260, Eff. Sept. 6, 1945;—CL 1948, 750.74;—Am. 1998, Act 312, Eff. Jan. 1, 1999.

**Former law:** See section 4 of Act 38 of 1927, being CL 1929, § 16936; and Act 272 of 1929.

## **THE MICHIGAN PENAL CODE (EXCERPT)**

### **Act 328 of 1931**

#### **750.77 Willfully and maliciously setting fire.**

Sec. 77. (1) A person who uses, arranges, places, devises, or distributes an inflammable, combustible, or explosive material, liquid, or substance or any device in or near a building or property described in section 72, 73, 74, or 75 with intent to willfully and maliciously set fire to or burn the building or property or who aids, counsels, induces, persuades, or procures another to do so is guilty of a crime as follows:

(a) If the property intended to be burned is personal or real property, or both, with a combined value less than \$200.00, the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00 or 3 times the combined value of the property intended to be burned, whichever is greater, or both imprisonment and a fine.

(b) If any of the following apply, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00 or 3 times the combined value of the property intended to be burned, whichever is greater, or both imprisonment and a fine:

(i) The property intended to be burned is personal or real property, or both, with a combined value of \$200.00 or more but less than \$1,000.00.

(ii) The person violates subdivision (a) and has 1 or more prior convictions for committing or attempting to commit an offense under this section or a local ordinance substantially corresponding to this section.

(c) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00 or 3 times the combined value of the property intended to be burned, whichever is greater, or both imprisonment and a fine:

(i) The property intended to be burned is personal or real property, or both, with a combined value of \$1,000.00 or more but less than \$20,000.00.

(ii) The person violates subdivision (b)(i) and has 1 or more prior convictions for violating or attempting to violate this section. For purposes of this subparagraph, however, a prior conviction does not include a conviction for a violation or attempted violation of subdivision (a) or (b)(ii).

(d) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00 or 3 times the combined value of the property intended to be burned, whichever is greater, or both imprisonment and a fine:

(i) The property is personal or real property, or both, with a combined value of \$20,000.00 or more.

(ii) The person violates subdivision (c)(i) and has 2 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subparagraph, however, a prior conviction does not include a conviction for committing or attempting to commit an offense for a violation or attempted



violation of subdivision (a) or (b)(ii).

(2) The combined value of property intended to be burned in separate incidents pursuant to a scheme or course of conduct within any 12-month period may be aggregated to determine the total value of property intended to be burned.

(3) If the prosecuting attorney intends to seek an enhanced sentence based upon the defendant having 1 or more prior convictions, the prosecuting attorney shall include on the complaint and information a statement listing the prior conviction or convictions. The existence of the defendant's prior conviction or convictions shall be determined by the court, without a jury, at sentencing or at a separate hearing for that purpose before sentencing. The existence of a prior conviction may be established by any evidence relevant for that purpose, including, but not limited to, 1 or more of the following:

- (a) The total value of property intended to be burned.
- (b) A transcript of a prior trial, plea-taking, or sentencing.
- (c) Information contained in a presentence report.
- (d) The defendant's statement.

(4) If the sentence for a conviction under this section is enhanced by 1 or more prior convictions, those prior convictions shall not be used to further enhance the sentence for the conviction pursuant to section 10, 11, or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.10, 769.11, and 769.12.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1945, Act 260, Eff. Sept. 6, 1945;—CL 1948, 750.77;—Am. 1998, Act 312, Eff. Jan. 1, 1999.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.200j Additional unlawful acts; penalties.**

Sec. 200j. (1) A person shall not manufacture, deliver, possess, transport, place, use, or release for an unlawful purpose any of the following:

- (a) A chemical irritant or a chemical irritant device.
- (b) A smoke device.
- (c) An imitation harmful substance or device.

(2) A person who violates subsection (1) is guilty of a crime as follows:

(a) Except as provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$5,000.00, or both.

(b) If the violation results in property damage, the person is guilty of a felony punishable by imprisonment for not more than 7 years or a fine of not more than \$10,000.00, or both.

(c) If the violation results in personal injury to another individual other than serious impairment of a body function or death, the person is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00, or both.

(d) If the violation results in serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$25,000.00, or both.

(e) If the violation results in the death of another individual, the person is guilty of a felony punishable by imprisonment for life or any term of years or a fine of not more than \$40,000.00, or both.

**History:** Add. 1998, Act 207, Eff. Oct. 1, 1998;—Am. 2001, Act 135, Imd. Eff. Oct. 23, 2001.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.204a Device representing or presented as explosive, incendiary device, or bomb; sending or transporting; intent; felony; penalty; jurisdiction.**

Sec. 204a. (1) A person who, with the intent to terrorize, frighten, intimidate, threaten, harass, or annoy any other person, possesses, delivers, sends, transports, or places a device that is constructed to represent an explosive, incendiary device, or bomb, or that is presented as an explosive, incendiary device, or bomb, is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$3,000.00, or both.

(2) An offense is committed under this section if the device is delivered or sent from this state or is possessed, transported, received, or placed in this state and may be prosecuted in the jurisdiction from which it was delivered or sent or in which it was possessed, transported, received, or placed.

**History:** Add. 1973, Act 202, Eff. Mar. 29, 1974;—Am. 1998, Act 208, Eff. Oct. 1, 1998;—Am. 2002, Act 134, Eff. Apr. 22, 2002.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

**750.207 Explosive substances; placing with intent to destroy and causing injury to any person; permission of property owner or governmental agency; violation; penalties.**

Sec. 207. (1) A person shall not place an explosive substance in or near any real or personal property with the intent to frighten, terrorize, intimidate, threaten, harass, injure, or kill any person, or with the intent to damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over that property.

(2) A person who violates this section is guilty of a crime as follows:

(a) Except as otherwise provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or for any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.207;—Am. 1998, Act 208, Eff. Oct. 1, 1998;—Am. 2003, Act 257, Eff. Jan. 1, 2004.

**Former law:** See section 3 of Act 119 of 1927, being CL 1929, § 17106.

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**750.209 Offensive or injurious substance; placing with intent to injure, coerce, or interfere with person or property; violation; penalties; felony.**

Sec. 209. (1) A person who places an offensive or injurious substance or compound in or near to any real or personal property with intent to wrongfully injure or coerce another person or to injure the property or business of another person, or to interfere with another person's use, management, conduct, or control of his or her business or property is guilty of a crime as follows:

(a) Except as otherwise provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or for any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

(2) A person who places an offensive or injurious substance or compound in or near to any real or personal property with the intent to annoy or alarm any person is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$3,000.00, or both.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1937, Act 41, Eff. Oct. 29, 1937;—CL 1948, 750.209;—Am. 1967, Act 177, Eff. Nov. 2, 1967;—Am. 1998, Act 208, Eff. Oct. 1, 1998;—Am. 2003, Act 257, Eff. Jan. 1, 2004.

**Former law:** See section 4 of Act 119 of 1927, being CL 1929, § 17107.

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**750.209a Possession of explosive substance or device in public place.**

Sec. 209a. A person who, with the intent to terrorize, frighten, intimidate, threaten, harass, or annoy any other person, possesses an explosive substance or device in a public place is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000.00, or both.

**History:** Add. 1998, Act 206, Eff. Oct. 1, 1998.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.210 Substance that when combined will become explosive or combustible; possession with intent to use unlawfully; violation; penalties.**

Sec. 210. (1) A person shall not carry or possess an explosive or combustible substance or a substance or compound that when combined with another substance or compound will become explosive or combustible or an article containing an explosive or combustible substance or a substance or compound that when combined with another substance or compound will become explosive or combustible, with the intent to frighten, terrorize, intimidate, threaten, harass, injure, or kill any person, or with the intent to damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over that property.

(2) A person who violates subsection (1) is guilty of a crime as follows:

(a) Except as provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or for any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.210;—Am. 1998, Act 208, Eff. Oct. 1, 1998;—Am. 2003, Act 257, Eff. Jan. 1, 2004.

**Former law:** See section 6 of Act 119 of 1927, being CL 1929, § 17109.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.241 Firefighter; obstructing and disobeying; interfering with public service facility during riot or civil disturbance.**

Sec. 241. (1) Any person who, while in the vicinity of any fire, willfully disobeys any reasonable order or rule of the officer commanding any fire department at the fire, when the order or rule is given by the commanding officer or a firefighter there present, is guilty of a misdemeanor.

(2) During a riot or other civil disturbance, any person who knowingly and willfully hinders, obstructs, endangers, or interferes with any person who is engaged in the operation, installation, repair, or maintenance of any essential public service facility, including a facility for the transmission of electricity, gas, telephone messages, or water, is guilty of a felony.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.241;—Am. 1968, Act 328, Eff. July 3, 1968;—Am. 2002, Act 270, Eff. July 15, 2002.

**Former law:** See section 1 of Act 239 of 1921, being CL 1929, § 16644.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.282 Offenses against water, steam, electric, or gas companies, or propane gas dealers or distributors, and boards or municipalities owning or operating plants; misdemeanor; felony; civil action not impaired by criminal prosecution; presumption; prima facie evidence of violation.**

Sec. 282. (1) A person shall not do any of the following:

(a) Willfully or fraudulently injure, or fraudulently allow to be injured, a meter, wire, line, pipe, or appliance belonging to a water, steam, electric, or gas company, or propane gas dealer or distributor.

(b) Willfully or fraudulently prevent a water, steam, electric, gas, or propane gas meter belonging to a water, steam, electric, or gas company, or propane gas dealer or distributor from duly registering the quantity of water, steam, electric current, gas, or propane gas measured through the meter, or in any way hinder or interfere with the meter's proper action or just registration.



(c) Attach a line, wire, or pipe to a line, wire, pipe, or main belonging to a water, steam, electric, or gas company, or propane gas dealer or distributor. This subdivision does not apply to the use of a ground wire to ground an electrical system.

(d) Willfully or fraudulently interfere with a pressure regulator device on a propane gas tank or incorporated into a propane gas system.

(e) Use or burn or cause to be used or burned any water, steam, electric current, gas, or propane gas supplied by a water, steam, electric, or gas company, or propane gas dealer or distributor, without the written consent of the company or the propane gas dealer or distributor, or the authorized agent or officer of the company or the propane gas dealer or distributor, unless the water, steam, electric current, gas, or propane gas passes through a meter or is measured by a meter set by the company or the propane gas dealer or distributor; fraudulently use the water, steam, electric current, gas, or propane gas, or fraudulently waste the water, steam, electric current, gas, or propane gas supplied by a water, steam, electric, or gas company, or propane gas dealer or distributor.

(2) A person who violates subsection (1) is guilty of a misdemeanor if the value of the water, steam, electric current, gas, or propane gas used, burned, or wasted, or the damage caused, as a result of the violation, is not more than \$500.00. A person who violates subsection (1) is guilty of a felony if the value of the water, steam, electric current, gas, or propane gas used, burned, or wasted, or the damage caused, as a result of the violation, is more than \$500.00.

(3) A criminal prosecution under this section shall not in any way impair the right of the company or the propane gas dealer or distributor to full compensation in damages by civil action.

(4) The provisions of this section shall extend and apply to all offenses against all water, steam, electric, or gas companies, or propane gas dealers or distributors, and boards or municipalities owning or operating plants for producing, manufacturing, furnishing, transmitting, or conducting water, steam, electricity, or gas, either natural, liquefied, or artificial.

(5) A person who attaches any line, wire, or pipe or any other device or process to any line, wire, or pipe of a water, steam, electric, or gas company, or propane gas dealer or distributor which interferes with the proper operation and just registration of a meter within the meaning of this section, or who interferes with a pressure regulator device on a propane gas tank or incorporated into a propane gas system, is presumed to do so with intent to avoid, or to enable another to avoid, payment for the service involved.

(6) In all prosecutions under this section, proof that the defendant, other than a lessor, had control of or occupied the premises where the offense was committed, or received the benefit of the water, steam, electric current, gas, or propane gas used or consumed, shall be prima facie evidence of a violation of this section.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.282;—Am. 1984, Act 37, Eff. Apr. 12, 1984;—Am. 1987, Act 32, Eff. Mar. 30, 1988.

**Former law:** See section 2 of Act 277 of 1911, being CL 1915, § 15362; and CL 1929, § 17043.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.352 Molesting and disturbing persons in pursuit of occupation, vocation or avocation.**

Sec. 352. Any person or persons who shall, by threats, intimidations, or otherwise, and without authority of law, interfere with, or in any way molest, or attempt to interfere with, or in any way molest or disturb, without such authority, any person, in the quiet and peaceable pursuit of his lawful occupation, vocation or avocation, or on the way to and from such occupation, vocation or avocation, or who shall aid or abet in any such unlawful acts, shall be guilty of a misdemeanor.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1947, Act 297, Eff. Oct. 11, 1947;—CL 1948, 750.352.

**Former law:** See section 1 of Act 163 of 1867, being CL 1871, § 7690; How., § 9273; CL 1897, § 11343; CL 1915, § 15010; and CL 1929, § 8612.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.377b Malicious destruction of property; property of police or fire department.**

Sec. 377b. Maliciously destroying or injuring certain personal property—Any person who shall wilfully and maliciously destroy or injure the personal property of any fire or police department, including the Michigan state police, shall be guilty of a felony.

**History:** Add. 1941, Act 209, Eff. Jan. 10, 1942;—CL 1948, 750.377b.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

### **750.380 Willful and malicious destruction of property; house, barn or building of another.**

Sec. 380. (1) A person shall not willfully and maliciously destroy or injure another person's house, barn, or other building or its appurtenances.

(2) If any of the following apply, a person who violates subsection (1) is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$15,000.00 or 3 times the amount of the destruction or injury, whichever is greater, or both imprisonment and a fine:

(a) The amount of the destruction or injury is \$20,000.00 or more.

(b) The person violates subsection (3)(a) and has 2 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction for a violation or attempted violation of subsection (4)(b) or (5).

(3) If any of the following apply, a person who violates subsection (1) is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00 or 3 times the amount of the destruction or injury, whichever is greater, or both imprisonment and a fine:

(a) The amount of the destruction or injury is \$1,000.00 or more but less than \$20,000.00.

(b) The person violates subsection (4)(a) and has 1 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction for a violation or attempted violation of subsection (4)(b) or (5).

(4) If any of the following apply, a person who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00 or 3 times the amount of the destruction or injury, whichever is greater, or both imprisonment and a fine:

(a) The amount of the destruction or injury is \$200.00 or more but less than \$1,000.00.

(b) The person violates subsection (5) and has 1 or more prior convictions for committing or attempting to commit an offense under this section or a local ordinance substantially corresponding to this section.

(5) If the amount of the destruction or injury is less than \$200.00, a person who violates subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00 or 3 times the amount of the destruction or injury, whichever is greater, or both imprisonment and a fine.

(6) The amounts of the destruction or injury in separate incidents pursuant to a scheme or course of conduct within any 12-month period may be aggregated to determine the total amount of the destruction or injury.

(7) If the prosecuting attorney intends to seek an enhanced sentence based upon the defendant having 1 or more prior convictions, the prosecuting attorney shall include on the complaint and information a statement listing the prior conviction or convictions. The existence of the defendant's prior conviction or convictions shall be determined by the court, without a jury, at sentencing or at a separate hearing for that purpose before sentencing. The existence of a prior conviction may be established by any evidence relevant for that purpose, including, but not limited to, 1 or more of the following:

(a) A copy of the judgment of conviction.

(b) A transcript of a prior trial, plea-taking, or sentencing.

(c) Information contained in a presentence report.

(d) The defendant's statement.

(8) If the sentence for a conviction under this section is enhanced by 1 or more prior convictions, those prior convictions shall not be used to further enhance the sentence for the conviction pursuant to section 10, 11, or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, 769.10, 769.11, and 769.12.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.380;—Am. 1957, Act 69, Eff. Sept. 27, 1957;—Am. 1998, Act 311, Eff. Jan. 1, 1999.

**Former law:** See section 48 of Ch. 154 of R.S. 1846, being CL 1857, § 5792; CL 1871, § 7599; How., § 9170; CL 1897, § 11584; CL 1915, § 15329; CL 1929, § 16925; and Act 31 of 1877.

### **THE MICHIGAN PENAL CODE (EXCERPT)**

#### **Act 328 of 1931**

### **750.381 Malicious destruction of property; fences or opening gates.**

Sec. 381. Maliciously breaking down or injuring fences or opening gates, etc.—Any person who shall maliciously break down, injure, mar or deface any fence belonging to or enclosing lands not his own, or shall maliciously throw down or open any gate, bars or fence, and leave the same down or open, shall be guilty of a misdemeanor.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.381.

**Former law:** See section 49 of Ch. 154 of R.S. 1846, being CL 1857, § 5793; CL 1871, § 7600; How., § 9171; CL 1897, § 11585; CL 1915, § 15330; CL 1929, § 16926; Act 206 of 1848; and Act 47 of 1849.

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**750.383 Malicious destruction of property; boundary markers; defacing inscriptions, buildings and sign boards; light bulbs.**

Sec. 383. Maliciously injuring or destroying boundary markers, guide posts, etc.—Any person who shall wilfully or maliciously break down, injure, remove or destroy any monument erected for the purpose of designating the boundaries of this state or any municipality thereof, or of any tract or lot of land, or any tree marked for that purpose, or shall so break down, injure, remove or destroy any milestone, mileboard, guidepost or guide board, lawfully erected upon any highway, or other public way or railroad, or shall wilfully or maliciously deface, or alter the inscription on any such stone, post or board, or shall wilfully or maliciously mar or deface any building or sign board, or extinguish any lamp, or break, injure, destroy or remove any gas lamp, oil lamp, electric light globe or bulb, or any railing or lamp post, erected on any bridge, sidewalk, street, highway, court or passage, or shall wilfully or maliciously injure, remove, deface or destroy any board or structure lawfully erected or used for the posting of bills, posters, or other notices, or shall wilfully or maliciously mutilate, deface or destroy any bill, poster, or other printed or written notice lawfully posted on any board or structure used for that purpose, without the consent of the owner or occupant thereof, shall be guilty of a misdemeanor.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1941, Act 190, Imd. Eff. June 16, 1941;—CL 1948, 750.383.

**Former law:** See section 50 of Ch. 154 of R.S. 1846, being CL 1857, § 5794; CL 1871, § 7601; How., § 9172; CL 1897, § 11586; CL 1915, § 15331; CL 1929, § 16927; Act 106 of 1877; and Act 280 of 1913.

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**750.383a Malicious destruction of property; wilfully cutting, breaking, obstructing, destroying or manipulating without authority utility equipment or appliances.**

Sec. 383a. Any person or persons who shall wilfully cut, break, obstruct, injure, destroy, tamper with or manipulate any machinery, tools, equipment, telephone line or post, telegraph line or post, electric line, post, tower or supporting structures, electric wire, insulator, switch or signal, natural gas pipe line, water pipe line, steam heat pipe line or the valves or other appliances or equipment appertaining to or used in connection with such lines, or any other appliance whether herein particularly mentioned or not, being the property of any utility, with the intention and without authority to interrupt or disrupt communications or electric, gas, water or steam heat service, or to curtail or impair the utilization thereof, or who shall conspire, aid, abet in or cause to be done any such unlawful acts, shall be guilty of a felony.

“Utility” includes any pipe line, gas, electric, heat, water, oil, sewer, telephone, telegraph, radio, railway, railroad, airplane, transportation, communication or other system, by whomsoever owned or operated for the public use.

**History:** Add. 1941, Act 190, Imd. Eff. June 16, 1941;—Am. 1947, Act 61, Imd. Eff. Apr. 28, 1947;—CL 1948, 750.383a.

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**750.385 Malicious destruction of property; signs, bills and notices placed on private property.**

Sec. 385. Destroying and injuring signs, bills and notices placed on private property—Any person who shall wilfully tear down, destroy or in any manner deface any signs, bill or notices on any private lands of this state, or on any lots or premises in any township, city or village shall be guilty of a misdemeanor: Provided, That such signs, bill or notices are not in violation of any general law of the state or municipal ordinance, and were placed by the owner or lessee or by their consent.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.385.

**Former law:** See sections 1 and 2 of Act 89 of 1897, being CL 1897, §§ 11606 and 11607; CL 1915, §§ 15371 and 15372; and CL 1929, §§ 17004 and 17005.

**THE MICHIGAN PENAL CODE (EXCERPT)**

**Act 328 of 1931**

**750.386 Malicious destruction of property; machinery and appliances.**

Sec. 386. Maliciously injuring or destroying machinery and appliances used for pumping, signaling or hoisting of men or materials in mines—Any person who shall wilfully and maliciously cut, break, obstruct, injure or destroy or cause to be cut, broken, obstructed, injured or destroyed, any pump, pumprod,

man-engine, ladder, ladderway, skip, skip-track, car, car-track, bell, signal, rope, cable, cage, air-compressor, steam boiler, electric generator, or any other appliance or thing whether herein particularly mentioned or not, the same being above ground or under ground in any mine, used for or connected with the hoisting or pumping apparatus, or means of conveyance or escape from any mine; or any stull, timber, plank, platform or other appliance or other thing, whether herein particularly mentioned or not, used for or connected with securing or upholding rock, or used for or connected with the purpose of securing the safety of workmen, the same being under ground in any mine; or shall do the like to any engine house, boiler house, electrical generator house, shaft house or any other structure above ground containing machinery or appliances used for or connected with the pumping, signaling or hoisting of men or materials, or with securing the safety of workmen underground, such mine not being then and there an abandoned mine, shall be guilty of felony, punishable by imprisonment in the state prison not more than 20 years, or by fine of not more than 10,000 dollars.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.386.

**Former law:** See section 1 of Act 2 of 1889, being How., § 9209b; CL 1897, § 11651; CL 1915, § 15422; CL 1929, § 17017; and Act 31 of 1927.

## **THE MICHIGAN PENAL CODE (EXCERPT)**

### **Act 328 of 1931**

#### **750.394 Train, car, or vehicle, throwing, propelling, or dropping stone or object; violation; penalty; “serious impairment” defined.**

Sec. 394. (1) A person shall not throw, propel, or drop a stone, brick, or other dangerous object at a passenger train, sleeping car, passenger coach, express car, mail car, baggage car, locomotive, caboose, or freight train or at a street car, trolley car, or motor vehicle.

(2) A person who violates this section is guilty of a crime as follows:

(a) Except as provided in subdivisions (b), (c), and (d), the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(b) Except as provided in subdivision (c), (d), or (e), if the violation causes property damage, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$500.00, or both.

(c) If the violation causes injury to any person, other than serious impairment or death, the person is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(d) If the violation causes serious impairment to any person, the person is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$5,000.00, or both.

(e) If the violation causes death to any person, the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(3) A criminal penalty provided for under this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct.

(4) As used in this section, “serious impairment” means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.394;—Am. 2003, Act 182, Eff. Jan. 1, 2004.

**Former law:** See section 1 of Act 246 of 1907, being CL 1915, § 8448; CL 1929, § 17038; and Act 2 of 1923.

## **THE MICHIGAN PENAL CODE (EXCERPT)**

### **Act 328 of 1931**

#### **750.396 Wearing mask or face covering device.**

Sec. 396. A person who intentionally conceals his or her identity by wearing a mask or other device covering his or her face for the purpose of facilitating the commission of a crime is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.396;—Am. 2002, Act 672, Eff. Mar. 31, 2003.

**Former law:** See sections 1 and 2 of Act 276 of 1923, being CL 1929, §§ 16609 and 16610.

## **THE MICHIGAN PENAL CODE (EXCERPT)**

### **Act 328 of 1931**

#### **750.411a False report of crime; violation; penalty; payment of costs by juvenile.**

Sec. 411a. (1) Except as provided in subsection (2), a person who intentionally makes a false report of the commission of a crime, or intentionally causes a false report of the commission of a crime to be made, to a

peace officer, police agency of this state or of a local unit of government, 9-1-1 operator, or any other governmental employee or contractor or employee of a contractor who is authorized to receive reports of a crime, knowing the report is false, is guilty of a crime as follows:

(a) If the report is a false report of a misdemeanor, the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(b) If the report is a false report of a felony, the person is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(2) A person shall not do either of the following:

(a) Knowingly make a false report of a violation or attempted violation of chapter XXXIII or section 327, 328, 397a, or 436 and communicate or cause the communication of the false report to any other person, knowing the report to be false.

(b) Threaten to violate chapter XXXIII or section 327, 328, 397a, or 436 and communicate or cause the communication of the threat to any other person.

(3) A person who violates subsection (2) is guilty of a felony punishable as follows:

(a) For a first conviction under subsection (2), by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(b) For a second or subsequent conviction under subsection (2), imprisonment for not more than 10 years or a fine of not more than \$5,000.00, or both.

(4) The court may order a person convicted under subsection (2) to pay to the state or a local unit of government the costs of responding to the false report or threat including, but not limited to, use of police or fire emergency response vehicles and teams, pursuant to section 1f of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1f, unless otherwise expressly provided for in this section.

(5) If the person ordered to pay costs under subsection (4) is a juvenile under the jurisdiction of the family division of the circuit court under chapter 10 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1001 to 600.1043, all of the following apply:

(a) If the court determines that the juvenile is or will be unable to pay all of the costs ordered, after notice to the juvenile's parent or parents and an opportunity for the parent or parents to be heard, the court may order the parent or parents having supervisory responsibility for the juvenile, at the time of the acts upon which the order is based, to pay any portion of the costs ordered that is outstanding. An order under this subsection does not relieve the juvenile of his or her obligation to pay the costs as ordered, but the amount owed by the juvenile shall be offset by any amount paid by his or her parent. As used in this subsection, "parent" does not include a foster parent.

(b) If the court orders a parent to pay costs under subdivision (a), the court shall take into account the financial resources of the parent and the burden that the payment of the costs will impose, with due regard to any other moral or legal financial obligations that the parent may have. If a parent is required to pay the costs under subdivision (a), the court shall provide for payment to be made in specified installments and within a specified period of time.

(c) A parent who has been ordered to pay the costs under subdivision (a) may petition the court for a modification of the amount of the costs owed by the parent or for a cancellation of any unpaid portion of the parent's obligation. The court shall cancel all or part of the parent's obligation due if the court determines that payment of the amount due will impose a manifest hardship on the parent.

(6) As used in this section:

(a) "Local unit of government" means:

(i) A city, village, township, or county.

(ii) A local or intermediate school district.

(iii) A public school academy.

(iv) A community college.

(b) "State" includes, but is not limited to, a state institution of higher education.

**History:** Add. 1941, Act 24, Eff. Jan. 10, 1942;—CL 1948, 750.411a;—Am. 1958, Act 58, Eff. Sept. 13, 1958;—Am. 1996, Act 303, Eff. Jan. 1, 1997;—Am. 2000, Act 370, Eff. Apr. 1, 2001;—Am. 2002, Act 672, Eff. Mar. 31, 2003;—Am. 2004, Act 104, Eff. July 1, 2004.

## THE MICHIGAN PENAL CODE (EXCERPT)

### Act 328 of 1931

#### **750.416 Motor vehicle; damaging, tampering or meddling with.**

Sec. 416. Damaging or unauthorized tampering or meddling with motor vehicle—Any person shall be guilty of a misdemeanor, who shall:

Intentionally and without authority from the owner, start or cause to be started the motor of any motor



vehicle, or maliciously shift or change the starting device or gears of a standing motor vehicle to a position other than that in which it was left by the owner or driver of said motor vehicle; or

Intentionally cut, mark, scratch or damage the chassis, running gear, body, sides, top, covering or upholstery of any motor vehicle, the property of another, or intentionally cut, mash, mark, destroy or damage such motor vehicle, or any of the accessories, equipment, appurtenances or attachments thereof, or any spare or extra parts thereon being or thereto attached, without the permission of the owner thereof; or

Intentionally release the brake upon any standing motor vehicle, with intent to injure said machine or cause the same to be removed without the consent of the owner: Provided, That this section shall not apply in case of moving or starting of motor vehicles by the police under authority of local ordinance or by members of fire departments in case of emergency in the vicinity of a fire.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.416.

**Former law:** See section 1 of Act 219 of 1917, being CL 1929, § 16971.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.507b Telegraph and telephone companies; interference, obstruction.**

Sec. 507b. Any unauthorized person who shall wilfully prevent, interfere, obstruct, or impede a public safety radio communication shall be guilty of a misdemeanor.

**History:** Add. 1968, Act 195, Eff. Nov. 15, 1968.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.523 Riots and unlawful assemblies; refusal to aid officer.**

Sec. 523. Refusal to aid officer to disperse or arrest rioters—If any person present, being commanded by any of the magistrates or officers aforesaid, to aid and assist in seizing and securing such rioters, or persons so unlawfully assembled, or in suppressing such riot or unlawful assembly, shall refuse or neglect to obey such command, or when required by any such magistrate or officer to depart from the place of such riotous or unlawful assembly, shall refuse or neglect so to do, he shall be deemed to be 1 of the rioters or persons unlawfully assembled, and shall be liable to be prosecuted and punished accordingly.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.523.

**Former law:** See section 3 of Ch. 157 of R.S. 1846, being CL 1857, § 5849; CL 1871, § 7683; How., § 9266; CL 1897, § 11336; CL 1915, § 15003; and CL 1929, § 16600.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.524 Riotous or unlawful assembly; neglecting or refusing to suppress assembly and arrest offenders; penalty.**

Sec. 524. Any mayor, alderman, supervisor, president, trustee or member of a common council, sheriff, or deputy sheriff, having notice of any such riotous or tumultuous and unlawful assembly as is mentioned in this chapter, in the township, city, or village in which he or she lives, who shall neglect or refuse immediately to proceed to the place of such assembly, or as near as he or she can with safety, or shall omit or neglect to exercise the authority with which he or she is invested by this chapter, for suppressing such riotous or unlawful assembly, and for arresting and securing the offenders, is guilty of a misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$750.00.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.524;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991;—Am. 2002, Act 672, Eff. Mar. 31, 2003.

**Former law:** See section 4 of Ch. 157 of R.S. 1846, being CL 1857, § 5850; CL 1871, § 7684; How., § 9267; CL 1897, § 11337; CL 1915, § 15004; and CL 1929, § 16601.

#### **THE MICHIGAN PENAL CODE (EXCERPT)**

##### **Act 328 of 1931**

#### **750.528a Firearm or explosive or incendiary device; teaching or demonstrating use, application, or construction in furtherance of civil disorder; unlawful assembly; applicability of section; violation as felony.**

Sec. 528a. (1) As used in this section:

(a) “Civil disorder” means any public disturbance involving the use of any firearm, explosive, or incendiary device by 3 or more assembled persons which causes an immediate danger to, or which results in damage or injury to, any property or person.

- (b) "Explosive or incendiary device" means:
- (i) Dynamite, gunpowder, or other similarly explosive substance.
  - (ii) Any bomb, grenade, missile, or similar device designed to expand suddenly and release internal energy resulting in an explosion.
  - (iii) Any incendiary bomb or grenade, fire bomb, or similar device designed to ignite, including any device which consists of or includes a breakable container containing a flammable liquid or compound and a wick composed of any material which, if ignited, is capable of igniting the flammable liquid or compound; and which may be carried or thrown by a person.
- (c) "Firearm" means any weapon from which a dangerous projectile may be propelled by using explosives, gas, or air as a means of propulsion; any weapon which may be readily converted to expel any projectile by the action of an explosive, or the frame or receiver of such a firearm or weapon, except any smooth bore rifle or handgun designed and manufactured exclusively for propelling BB's not exceeding .177 caliber by means of spring, gas, or air.
- (d) "Law enforcement officer" means any of the following:
- (i) Every sheriff or sheriff's deputy; village marshal or township constable; officer of the police department of any city, village, or township; any officer of the Michigan state police; or any peace officer who is trained and certified pursuant to Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Michigan Compiled Laws.
  - (ii) Any officer or employee of the United States, its possessions, or territories who is authorized to enforce the laws of the United States, its possessions, or its territories.
  - (iii) Any member of the national guard, coast guard, military reserve, or the armed forces of the United States when acting in his or her official capacity.
- (2) A person shall not teach or demonstrate to another person the use, application, or construction of any firearm, or any explosive or incendiary device, if that person knows, has reason to know, or intends that what is taught or demonstrated will be used in, or in furtherance of, a civil disorder.
- (3) A person shall not assemble with 1 or more persons for the purpose of training with, practicing with, or being instructed in the use of any firearm, or any explosive or incendiary device, if that person intends to use such a firearm or device in, or in furtherance of, a civil disorder.
- (4) This section shall not apply to any act of a law enforcement officer which is performed in the lawful performance of his or her official duties as a law enforcement officer, or any activity of any hunting club, rifle club, rifle range, pistol range, shooting range, or other program or individual instruction intended to teach the safe handling or use of firearms, archery equipment, or other weapons or techniques employed in connection with lawful sports, self-defense, or other lawful activities.
- (5) A person who violates this section is guilty of a felony.

**History:** Add. 1986, Act 113, Eff. Mar. 31, 1987.

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.540 Use of electronic medium of communication; prohibited conduct; violation as felony; penalty; definitions.**

Sec. 540. (1) A person shall not willfully and maliciously cut, break, disconnect, interrupt, tap, or make any unauthorized connection with any electronic medium of communication, including the internet or a computer, computer program, computer system, or computer network, or a telephone.

(2) A person shall not willfully and maliciously read or copy any message from any telegraph, telephone line, wire, cable, computer network, computer program, or computer system, or telephone or other electronic medium of communication that the person accessed without authorization.

(3) A person shall not willfully and maliciously make unauthorized use of any electronic medium of communication, including the internet or a computer, computer program, computer system, or computer network, or telephone.

(4) A person shall not willfully and maliciously prevent, obstruct, or delay by any means the sending, conveyance, or delivery of any authorized communication, by or through any telegraph or telephone line, cable, wire, or any electronic medium of communication, including the internet or a computer, computer program, computer system, or computer network.

(5) A person who violates this section is guilty of a crime as follows:

(a) Except as provided in subdivision (b), the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$1,000.00, or both.

(b) If the incident to be reported results in injury to or the death of any person, the person violating this section is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than

\$5,000.00, or both.

(6) As used in this section:

(a) "Computer" means any connected, directly interoperable or interactive device, equipment, or facility that uses a computer program or other instructions to perform specific operations including logical, arithmetic, or memory functions with or on computer data or a computer program and that can store, retrieve, alter, or communicate the results of the operations to a person, computer program, computer, computer system, or computer network.

(b) "Computer network" means the interconnection of hardwire or wireless communication lines with a computer through remote terminals, or a complex consisting of 2 or more interconnected computers.

(c) "Computer program" means a series of internal or external instructions communicated in a form acceptable to a computer that directs the functioning of a computer, computer system, or computer network in a manner designed to provide or produce products or results from the computer, computer system, or computer network.

(d) "Computer system" means a set of related, connected or unconnected, computer equipment, devices, software, or hardware.

(e) "Internet" means that term as defined in section 230 of title II of the communications act of 1934, 47 USC 230, and includes voice over internet protocol services.

(7) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law committed by that person while violating or attempting to violate this section.

**History:** 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.540;—Am. 2006, Act 60, Eff. June 1, 2006;—Am. 2006, Act 61, Eff. June 1, 2006.

**Former law:** See section 1 of Act 113 of 1893, being CL 1897, § 11637; CL 1915, § 15403; and CL 1929, § 17046.

## **THE MICHIGAN PENAL CODE (EXCERPT)**

### **Act 328 of 1931**

#### **750.540e Malicious use of service provided by telecommunications service provider.**

Sec. 540e. (1) A person is guilty of a misdemeanor who maliciously uses any service provided by a telecommunications service provider with intent to terrorize, frighten, intimidate, threaten, harass, molest, or annoy another person, or to disturb the peace and quiet of another person by any of the following:

(a) Threatening physical harm or damage to any person or property in the course of a conversation or message through the use of a telecommunications service or device.

(b) Falsely and deliberately reporting by message through the use of a telecommunications service or device that a person has been injured, has suddenly taken ill, has suffered death, or has been the victim of a crime or an accident.

(c) Deliberately refusing or failing to disengage a connection between a telecommunications device and another telecommunications device or between a telecommunications device and other equipment provided for the transmission of messages through the use of a telecommunications service or device.

(d) Using vulgar, indecent, obscene, or offensive language or suggesting any lewd or lascivious act in the course of a conversation or message through the use of a telecommunications service or device.

(e) Repeatedly initiating a telephone call and, without speaking, deliberately hanging up or breaking the telephone connection as or after the telephone call is answered.

(f) Making an unsolicited commercial telephone call that is received between the hours of 9 p.m. and 9 a.m. For the purpose of this subdivision, "an unsolicited commercial telephone call" means a call made by a person or recording device, on behalf of a person, corporation, or other entity, soliciting business or contributions.

(g) Deliberately engaging or causing to engage the use of a telecommunications service or device of another person in a repetitive manner that causes interruption in telecommunications service or prevents the person from utilizing his or her telecommunications service or device.

(2) A person violating this section may be imprisoned for not more than 6 months or fined not more than \$1,000.00, or both. An offense is committed under this section if the communication either originates or terminates in this state and may be prosecuted at the place of origination or termination.

(3) As used in this section, "telecommunications", "telecommunications service", and "telecommunications device" mean those terms as defined in section 540c.

**History:** Add. 1969, Act 328, Eff. Mar. 20, 1970;—Am. 1988, Act 395, Eff. Mar. 30, 1989;—Am. 2002, Act 577, Eff. Nov. 1, 2002.

## **THE MICHIGAN PENAL CODE (EXCERPT)**

### **Act 328 of 1931**

**750.552a Filth, garbage or refuse; unlawful to dump, deposit or place on property of another.**

Sec. 552a. Any person who shall dump, deposit or place any filth, garbage or refuse on the grounds or premises of another, without the specific permission of the owner thereof, shall be guilty of a misdemeanor.

**History:** Add. 1954, Act 27, Imd. Eff. Mar. 31, 1954.

**RIOTS AND RELATED CRIMES (EXCERPT)**

**Act 302 of 1968**

**752.541 Riot.**

Sec. 1. It is unlawful and constitutes the crime of riot for 5 or more persons, acting in concert, to wrongfully engage in violent conduct and thereby intentionally or recklessly cause or create a serious risk of causing public terror or alarm.

**History:** 1968, Act 302, Imd. Eff. July 1, 1968.

**RIOTS AND RELATED CRIMES (EXCERPT)**

**Act 302 of 1968**

**752.542 Inciting to riot.**

Sec. 2. It is unlawful and constitutes incitement to riot for a person or persons, intending to cause or to aid or abet the institution or maintenance of a riot, to do an act or engage in conduct that urges other persons to commit acts of unlawful force or violence, or the unlawful burning or destroying of property, or the unlawful interference with a police officer, peace officer, fireman or a member of the Michigan national guard or any unit of the armed services officially assigned to riot duty in the lawful performance of his duty.

**History:** 1968, Act 302, Imd. Eff. July 1, 1968.

**RIOTS AND RELATED CRIMES (EXCERPT)**

**Act 302 of 1968**

**752.543 Unlawful assembly.**

Sec. 3. It is unlawful and constitutes an unlawful assembly for a person to assemble or act in concert with 4 or more persons for the purpose of engaging in conduct constituting the crime of riot, or to be present at an assembly that either has or develops such a purpose and to remain thereat with intent to advance such purpose.

**History:** 1968, Act 302, Imd. Eff. July 1, 1968.